

**COMMUNITY ACTION TEAM**  
**CHILD & FAMILY DEVELOPMENT PROGRAMS**  
Student Records Policy

Child & Family Development Programs (CFDP) shall maintain student records necessary for the educational guidance of students for orderly and efficient operation of CFDP, as required by law, and following CFDP procedure 5-14. All educational, health, nutrition, special services and social services information related to students and their families shall remain confidential.

All records are the property of CFDP, but shall be available in a timely manner to parents and legal guardians. A parent or guardian may challenge any information in the record believed inaccurate, misleading or in violation of the privacy or other rights of the student. Parents and guardians will be informed annually of their rights to review and propose amendments to the record. CFDP will cover the cost to copy records, if requested.

Records shall be kept safe and secure at all times. All records will be stored under lock and monitored by authorized custodians. Student records are retained for three years in locked cabinet. The child's name, address and parents name required to be maintained will be kept in a minimum one-hour fire locked file cabinet. All permanent records for children with documented disabilities are maintained at NWRESA.

#### **TRANSFER OF CHILD RECORDS TO SCHOOLS**

Student educational records will be forwarded to other schools and agencies upon request within 30 days. Parental consent form 3-7 will be signed for records other than educational and immunizations. . A copy will be retained by CFDP.

CFDP will request student education records from another agency within 10 days of enrolling in CFDP. Parents will be informed. Parental consent form 3-7 will be signed for records other than educational and immunizations.

In the event of a judicial order or lawfully issued subpoena, CFDP will maintain the original records and certified copies released to the court.

#### **THE RIGHTS OF PARENTS**

Parents have full rights under law unless CFDP has been provided with evidence that there is a court order, State statute, or legally binding document relating to matters such as divorce, separation, or custody that specifically revokes these rights. In the event the parents have custody conflicts, the program will follow Procedure 5-14.

CFDP will inform parents and legal guardians of their right regarding records by providing notice of the following:

1. Type of records maintained

2. CFDP staff or consultants who have legitimate, educational, health or social service interest in a student
3. Person(s) other than parent/guardians having access to records and the purpose of such access
4. Inspection, review, challenge and hearing rights

## **DISCLOSURE**

CFDP may disclose information from an education record of a student without consent if the disclosure meets one or more of the following criteria:

1. Staff who have legitimate educational interests. This includes, but is not limited to teachers, assistant teachers, home visitors or family advocates working directly with the child, management, administrative staff, and program consultants who support or monitoring or have contractual responsibilities.
2. Officials of another school, school system, education service district, state regional program or public health department where the child seeks or intends to enroll, is enrolled, or receives services.
3. Authorized representatives of:
  - a. The Comptroller General of the United States
  - b. The Secretary of the United States Department of Education
  - c. State and local education authorities
  - d. The Oregon Secretary of State's Audit Division
4. Testing organizations, as long as anonymity is preserved
5. Comply with court orders
6. Health and safety officials
7. To non-custodial parents, unless there is a court order to the contrary.

When information from a student record is released to any person or organization other than CFDP staff, a record of such release shall be maintained as part of the specific record involved.

## **Challenges and Hearings:**

If a parent believes the education record relating to their child contains information that is inaccurate, misleading, or in violation of the student's rights of privacy or other rights, he/she may ask that the record be amended.

1. The center manager and director, in consultation with relevant staff, will decide within ten working days whether or not to amend the record as requested.
2. If a decision is made not to amend the record, the parent will be notified of their right to an impartial hearing, and the parent will be given notice of the date, time, and place in advance of the hearing.
3. The parent will be given fair opportunity to present evidence, and may, at their expense, be represented by one or more individuals, including an attorney.

4. If, as a result of the hearing, CFDP decides that the information is inaccurate, misleading, or otherwise in violation of the rights or privacy of the child, CFDP will amend the record accordingly and inform the parent of the amendment in writing.
5. If, as a result of the hearing, CFDP decides that the information is not inaccurate, misleading, or in violation of the rights or privacy of the child, CFDP will inform the parent in writing of the right to place a statement in the record commenting on the contested information and/or stating why he/she disagrees with the decision of CFDP.
  - a. This statement will be kept with the record for as long as the record is maintained; and
  - b. The statement will be disclosed whenever the portion of the record to which it relates is disclosed.
6. The parent may pursue a grievance within 30 days of the hearing following Grievance Procedure 1-82 of CFDP.

### **DIRECTORY INFORMATION**

The following will be available to certain parties and may be considered Directory Information:

1. Class lists will be kept by direct service team staff members and administrative staff. These are kept in locked cabinets or out of sight and are used for child information tracking and emergency purposes.
2. Child emergency and transportation information is recorded on form 3-11 and will be accessible near the classroom telephone, in the first aid pack for outdoor play and field trips and on the school bus.
3. Parent participation in program committees and advisory boards.
4. Use and/or release of photographs will be authorized by written parental consent on form 5-1.
5. Parents will be given an annual written opportunity to refuse release of Directory Information on form 5-1.

### **RIGHTS OF INSPECTION AND REVIEW OF EDUCATION RECORDS**

Except as specifically limited in this policy, the parent or a representative of the parent may request in writing to inspect and review the education records of the child.

1. Requests must be made in writing to the center manager and a time will be scheduled for inspection and review of the records.
2. Access to records will be granted within a reasonable amount of time, but in no case more than 30 calendar days after receipt of the request.
3. CFDP staff will be available to respond to reasonable requests for explanations and interpretations of the record.
4. If a parent so requests, a single copy of the child's education record will be given. Copies of test protocols must be authorized by Federal law.
5. No records will be destroyed if an outstanding request to inspect and review records is pending.

### **RECKLESS DISCLOSURE OF INFORMATION**

Improper disclosure of personally identifiable or confidential information may be subject to civil action in circuit court pursuant to the law. Violation of the CFDP Child Education Record Policy may be considered grounds for immediate dismissal.